

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH CITY OF OAKLAND PARKING PARTNERS FOR OPERATION AND MANAGEMENT OF MUNICIPAL PARKING FACILITIES TO EXTEND THE TERM FOR UP TO THREE YEARS, INCLUDING A TWO-YEAR EXTENSION AND AN OPTIONAL MONTH-TO-MONTH EXTENSION FOR UP TO ONE ADDITIONAL YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED TWELVE MILLION THREE HUNDRED NINETY-NINE THOUSAND THIRTY-NINE DOLLARS (\$12,399,039); WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENT UNDER OAKLAND MUNICIPAL CODE SECTION 2.04.051.B; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS

WHEREAS, the City of Oakland (City) oversees the management and operations of off-street parking facilities in locations throughout the City generating approximately five million dollars (\$5 million) in gross annual revenue; and

WHEREAS, the City has historically relied on the services of professional contractors to operate and manage these facilities; and

WHEREAS, in May 2014, after a competitive process, the Oakland City Council adopted Resolution No. 84993 C.M.S. authorizing and directing the City Administrator to finalize and execute a contract with City of Oakland Parking Partners (“COPP”) for the operation and management of municipal parking facilities, and the agreement, as previously authorized and amended, expires on July 31, 2026; and

WHEREAS, in May 2016, the Oakland City Council adopted Resolution No. 86146 C.M.S. authorizing an increase of \$600,000.00 in the COPP contract capacity; and

WHEREAS, in November 2016 City Council adopted Resolution No. 86461 C.M.S. authorizing and directing the City Administrator to amend the City’s Parking Operations and Facilities Management Contract with COPP by an additional \$850,000 in contract capacity; and

WHEREAS, the existing contract for services with COPP, which provides services for facilities including but not limited to Alexan-Webster, City Center West, Dalziel, Franklin Plaza, Harrison Street, and Telegraph Plaza, will expire on July 31, 2026; and

WHEREAS, funds for this agreement is included in the FY2026-27 Proposed Midcycle Policy Budget in Multipurpose Reserve Fund (1750), Mobility Management Organization (35247), Departmental Administrative Project (1003469), Services: Miscellaneous Contract Account (54919), and subject to Council adoption. Funding for future years of the agreement is contingent upon funding availability in future budget cycles; and

WHEREAS, COPP is organized as a California General Partnership, and includes SP Plus LLC, a respected national parking operator, and CMA/Wellington, LLC, made up of two local businesses with decades of experience in and contributions to Oakland (CMA Asset Managers and Wellington Property); and

WHEREAS, CMA and Wellington are both certified as Small Local Business Enterprises; and

WHEREAS, Oakland Municipal Code (“OMC”) Section 2.04.050.I.1 exempts contracts for professional, technical, or specialized services from the formal advertising and bidding requirements that otherwise apply to purchases of services, supplies, or a combination thereof; and

WHEREAS, OMC Section 2.04.051.A requires the City Administrator or designee to conduct a request for proposals (“RFP”) or request for qualifications (“RFQ”) process for the award of contracts exceeding fifty thousand dollars (\$50,000) that are exempt from bidding under OMC Section 2.04.050.I.1, including contracts for professional, technical, or specialized services; and

WHEREAS, OMC Title 2, Chapter 2, Article I, Section 2.04.051.B permits the Council to waive the competitive RFQ/P competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, this Resolution authorizes an amendment to an existing City professional services agreement and does not rely on cooperative purchasing authority under OMC Section 2.04.080; and

WHEREAS, staff recommends waiver of the competitive RFP/RFQ selection requirement solely for a time-limited bridge extension to avoid interruption of parking facility operations, revenue collection, customer service, security coordination, maintenance coordination, and financial reporting while the City evaluates future parking-system operating models and conducts a competitive solicitation; and

WHEREAS, staff has represented that failure to extend the existing agreement before its July 31, 2026 expiration may result in disruption of services and loss of revenue from City parking facilities; and

WHEREAS, COPP has facility-specific institutional knowledge, operating procedures, staffing systems, revenue-control systems, and transition experience that reduce operational, fiscal, and public-service risks during the bridge period; and

WHEREAS, the Department of Transportation intends to use the extension period to evaluate parking-system management options, including whether any services can be integrated

into existing City resources, and to issue a new competitive RFP with a revised scope of services, potentially incorporating new technologies; and

WHEREAS, staff expects to return to Council with a recommended award from the new competitive solicitation within twelve to twenty-four months; and

WHEREAS, this waiver is limited to the amendment authorized by this Resolution and does not waive competitive procurement requirements for any successor agreement after the expiration of the extension authorized; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature. Staff intends to use the next twelve to twenty-four months to envision new ways of managing the parking system, including integrating current professional services into existing City resources, and to issue a new competitive RFP; and

WHEREAS, the City Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: that the recitals set forth above are true and correct, and the City Council so finds and determines; and be it

FURTHER RESOLVED: That the City Administrator is authorized to amend the existing Professional Services Agreement for the Operation and Management of Municipal Parking Facilities with COPP to extend the term for two years, from August 1, 2026 through July 31, 2028, in an amount not to exceed Four Million One Hundred Thirty-Three Thousand Thirteen Dollars (\$4,133,013) per contract year, for a two-year amount not to exceed Eight Million Two Hundred Sixty-Six Thousand Twenty-Six Dollars (\$8,266,026), with authority to extend the agreement on a month-to-month basis for up to twelve additional months through July 31, 2029, in an additional amount not to exceed Four Million One Hundred Thirty-Three Thousand Thirteen Dollars (\$4,133,013), for a total maximum amount authorized by this Resolution not to exceed Twelve Million Three Hundred Ninety-Nine Thousand Thirty-Nine Dollars (\$12,399,039), subject to available appropriations; and be it

FURTHER RESOLVED: That the City Council finds and determines that the services authorized by this Resolution are professional, technical, or specialized services exempt from formal advertising and bidding under OMC Section 2.04.050.I.1; and be it

FURTHER RESOLVED: That pursuant to OMC Section 2.04.051.B, and for the reasons stated in this Resolution and the accompanying staff report, the City Council finds and determines that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement for the amendment authorized by this Resolution, and hereby waives that requirement; and be it

FURTHER RESOLVED: That the City Council independently finds and determines that this action is exempt from the California Environmental Quality Act (“CEQA”) because it authorizes an administrative and fiscal contract amendment for continued operation and management of existing municipal parking facilities and does not approve any expansion of use,

construction, change in facility capacity, or other direct or reasonably foreseeable indirect physical change in the environment; and be it

FURTHER RESOLVED: That this action is exempt from CEQA pursuant to CEQA Guidelines Sections 15060(c)(2), 15061(b)(3), and 15378(b)(4) and (b)(5), each of which provides a separate and independent basis for CEQA clearance and, when viewed collectively, provides an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: that the City Administrator is hereby authorized to execute any amendments or modifications to said contracts with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office, without returning to City Council.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST:

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California